

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:	:	21-CV-9574 (JMF)
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SECOND WAVE IBM ARBITRATION AGREEMENT	:	<u>ORDER</u>
LITIGATION	:	
	:	
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JESSE M. FURMAN, United States District Judge:

On January 31, 2022, Defendant International Business Machines Corp. (“IBM”) filed a motion to dismiss Plaintiff Sharon Gilmore’s Amended Complaint. *See* ECF Nos. 25-26. As the parties are aware, however, the cases consolidated under case number 21-CV-9574 each “retain their separate identities.” ECF No. 5 (quoting *Hall v. Hall*, 138 S. Ct. 1118, 1128-31 (2018)).

In light of the foregoing, it is hereby ORDERED that IBM shall, no later than **February 10, 2022**, file a letter indicating whether its motion to dismiss is directed solely at Plaintiff Sharon Gilmore’s Amended Complaint or applies to all Second Wave plaintiffs — that is, the plaintiffs in the cases consolidated under 21-CV-9574.

SO ORDERED.

Dated: February 3, 2022
New York, New York



JESSE M. FURMAN
United States District Judge